

Appl. No. 10/687,086  
Filed : October 16, 2003

### REMARKS

The foregoing amendments and the following comments are responsive to the restrictions set forth by the Examiner in the November 17, 2004 Restriction Requirement.

Claims 1-33 are pending in this application. The Examiner grouped Claims 1-33 into the following patentably distinct species of the claimed invention:

Species 1 (Claims 1-10 and 23-33), involving a gate dielectric layer and a polysilicon layer with a titanium boronitride barrier layer therebetween, and

Species 2 (Claims 11-22), involving a gate dielectric layer and a titanium boronitride barrier layer with a polysilicon layer therebetween.

Pursuant to the Examiner's request, Applicants hereby elect Species 1, Claims 1-10 and 23-33, without traverse, for prosecution on the merits to which the claims shall be restricted if no generic claim is held to be allowable. Applicants withdraw Species 2, Claims 11-22, without prejudice.

Applicants understand that if a generic claim is found to be held allowable, Applicant will be entitled to consideration of claims to additional species. Applicants respectfully submit that the application is now in compliance with 35 U.S.C. §121. Hence, reconsideration of the above-referenced application in light of the amendments and remarks contained herein is hereby requested.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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